

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:18 CR 182-005
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
JOSEPH TERLIZZI,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Joseph Terlizzi, which was referred to the Magistrate Judge with the consent of the parties.

On August 1, 2018, the government filed a Superseding Indictment, charging Defendant Terlizzi, in counts 1, 2, 3, 4, 5-6, 7 and 13, with Conspiracy to Possess with Intent to Distribute and to Distribute Controlled Substances, Manufacture and Possession with Intent to Distribute a Controlled Substance, and Aiding and Abetting, Possession with Intent to Distribute a Controlled Substance, and Aiding and Abetting, Felon in Possession of Firearms, Possession of a Firearm in Furtherance of a Drug Trafficking Crime, and Use of a Communication Facility in Furtherance of a Drug Trafficking Crime, in violation of Title 21 U.S.C. Sections 846, 843(b), 841(a)(1), and (b)(1)(C) and 18:2, and Title 18 U.S.C. Sections 922(g)(1), and 924(c) (1)(A). Defendant was arraigned on August 22, 2018, and entered a plea of not guilty to counts 1, 2, 3, 4, 5-6, 7 and 13 of the Indictment, before Magistrate Judge Parker. On December 17, 2019 Magistrate Judge Parker received Defendant Terlizzi's plea of guilty to counts 1 and 3 of the Superseding Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should

be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Terlizzi is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Joseph Terlizzi is adjudged guilty to counts 1 and 3 of the Superseding Indictment, in violation of Title 21 U. S. C. Sections 846, 841(a)(1), (b)(1)(A) and (b)(1)(C), and 18:2. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on April 7, 2020, at 11:00 a.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

January 8, 2020